

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA

MIGUEL A. ADAMS,)	
)	
Plaintiff,)	
vs.)	NO. CIV-08-558-D
)	
CORPORAL WHITEHORN, et al.,)	
)	
Defendants.)	

ORDER

Plaintiff, a state prisoner appearing *pro se*, brought this action pursuant to 42 U.S.C. §1983, alleging violations of his civil rights. In accordance with 28 U.S.C. §636(b)(1)(B), the matter was referred to United States Magistrate Judge Gary M. Purcell for initial proceedings. The Magistrate Judge granted Plaintiff's motion to proceed *in forma pauperis* and directed him to pay an initial partial filing fee of \$103.00 by June 20, 2008; Plaintiff was advised that failure to do so or to show cause for his failure could result in dismissal of this action without prejudice to its refiling.

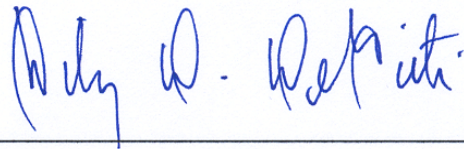
Plaintiff did not comply. As a result, on July 1, 2008, the Magistrate Judge filed a Report and Recommendation [Doc. No. 7] in which he recommended that this action be dismissed without prejudice because of Plaintiff's failure to pay the initial partial filing fee. Because Plaintiff timely objected to the Report and Recommendation, the matter is reviewed *de novo*.

In his objection, Plaintiff does not challenge the requirements of 28 U. S. C. § 1915 regarding the payment of an initial partial filing fee or the legal authorities cited by the Magistrate Judge in the Report and Recommendation. Instead, Plaintiff asks the Court to waive the partial filing fee requirement solely because Plaintiff is a prisoner.

Plaintiff's objection is without merit. The requirements for inmates proceeding *in forma pauperis* are prescribed by statute, and Plaintiff offers no argument or authority to support his request that he be exempt from these requirements. The Court also notes that Plaintiff must be familiar with these requirements because he has filed numerous other lawsuits, and currently has two other actions pending before the undersigned.

The Report and Recommendation [Doc. No. 7] is adopted as though fully set forth herein. The action is dismissed without prejudice to its refiling.

IT IS SO ORDERED this 25th day of November, 2008.



TIMOTHY D. DEGIUSTI
UNITED STATES DISTRICT JUDGE